

RESOLUTION

WHEREAS, it is in the best interest of the citizens of Rutherford County that the Private Act attached hereto as Exhibit "1", attached hereto as if copied herein at length verbatim, be adopted and that, upon ratification, Private Acts of 1947, Chapter 384, be amended by the Rutherford County Commission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Rutherford County, Tennessee that it respectfully requests the Tennessee General Assembly enact the Private Act attached hereto as Exhibit "1".

BE IT FURTHER RESOLVED that Private Acts of 1947, Chapter 384, be amended at such time as the Rutherford County Commission ratifies the proposed Private Act attached as Exhibit "1" hereto.

BE IT FURTHER RESOLVED that the County Clerk is directed to send a certified copy of this action to the legislators representing Rutherford County, Tennessee.

RESOLVED this _____ day of _____, 2016.

RUTHERFORD COUNTY, TENNESSEE

ATTEST:

BY: _____
ERNEST G. BURGESS, Chairman

LISA CROWELL, County Clerk

OFFICIAL VOTE

AYE VOTES: _____

NAY VOTES: _____

ABSTAIN: _____

PRIVATE ACTS OF _____

CHAPTER _____

AN ACT to amend Chapter 384 of the Private Acts of 1947, as amended by Chapter 59 of the Private Acts of 2005, and any other acts amendatory thereto, relative to the general sessions court of Rutherford County.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 384 of the Private Acts of 1947, as amended by Chapter 59 of the Private Acts of 2005, and any other acts amendatory thereto, is further amended by addition of the following language to the end of Section 12;

Effective _____, there is created Part IV of the Court of General Sessions of Rutherford County. At the August general election in 2016, the qualified voters of Rutherford County shall elect a person to serve as judge of Part IV of the Court of General Sessions for a six (6) year term. The qualifying deadline for the 2016 election is at noon on the 90th day before the August General Election. After expiration of the initial six (6) year term, and every eight (8) years thereafter, the qualified voters of Rutherford County shall elect a person to serve as judge of Part IV of the Court of General Sessions for an eight (8) year term.

Such person shall be required to possess all the same qualifications as the general session judges in Parts I, II, and III and shall be vested with the same authority and jurisdiction to try, hear and dispose of cases and other matters that come before such court as is conferred upon the judges in Parts I, II, and III.

The judge of Part IV shall receive the same compensation, payable in the same manner, as judges of Parts I, II, and III.

Beginning September 1, 20__, the Judges of the General Sessions Court of Rutherford County shall designate, by a majority vote, one (1) of the four (4) judges to serve as the presiding judge for a one (1) year term. There is no limit on the number of consecutive terms a judge may serve as presiding judge. The presiding judge shall designate, determine the cases, and the time for holding court for each judge. Until September 1, 20__, the present method of selecting the presiding judge shall remain in effect.

SECTION 2. Effective September 1, 20__, Chapter 384 of the Private Acts of 1947, as amended by Chapter 59 of the Private Acts of 2005, and any other acts amendatory thereto, is further amended by deleting from Section 12 the first full paragraph added by Section 3 of Chapter 59 of the Private Acts of 2005, such paragraph pertaining to the selection of the presiding judge for the General Sessions Court of Rutherford County.

SECTION 3.

(a). Rutherford County shall provide all funding necessary for the establishment and operation of Part IV of the Court of General Sessions of Rutherford County created by this act, including a courtroom, office space, and such personnel as is necessary to efficiently operate such court.

(b) This act shall take effect only if the cost of providing any additional assistant district attorneys general, assistant district public defenders, or any other costs associated with the judgeship created by this act is funded by

Rutherford County, and such funding continues for the term of the judgeship so created.

SECTION 4. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of Rutherford County. Its approval or non-approval shall be proclaimed by the presiding officer of the county legislative body and certified by that officer to the Secretary of State.

SECTION 5. For the purpose of approving, or rejecting, the provision of this Act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 4.

ADOPTED this _____ day of _____, 20_____.

CHAIRMAN

ATTEST:
